

IN RE APPLICATION NUMBER: 10/687,616 (Conf. No. 9821)

TRANSMITTAL COVER LETTER FOR FACSIMILE TRANSMISSION

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Attention: Examiner Corbett Coburn

FACSIMILE NUMBER: (703) 746-7483

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CLIENT/MATTER NO. 03043.026

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February 19, 2002
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Andrew Van Court
Andrew Van Court

TOTAL NUMBER OF PAGES, INCLUDING COVER LETTER: 3

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ODS-26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Richard E. McNutt et al.
Application No. : 09/687,616 Confirmation No. 9821
Filed : October 13, 2000
For : INTERACTIVE WAGERING SYSTEM WITH
TOTALISATOR SELECTION
Examiner : Corbett B. Coburn
Group Art Unit : 3714

Commissioner for Patents
P.O. Box 2327
Arlington, Virginia 22202

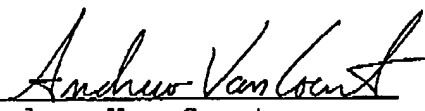
Authorization to Communicate with the United
States Patent and Trademark Office via the Internet

Sir:

The Director of the United States Patent and
Trademark Office is hereby authorized to communicate any
subject matter pertaining to this application by electronic
mail. Applicants understand that a copy of these

communications will be made of record in the application
file.

Respectfully submitted,


Andrew Van Court
Registration No. 48,506
Agent for Applicants
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Tel.: (212) 596-9000

Coburn, Corbett

From: AVanCourt@fishneave.com
Sent: Thursday, February 13, 2003 2:37 PM
To: Corbett.Coburn@uspto.gov
Cc: AVanCourt@fishneave.com
Subject: 09/687,616

Examiner Coburn,

Thank you for letting us participate in an interview with you earlier today. Jim and I found it useful and feel that we are advancing prosecution of this application. In light of our conversation, we drafted two new draft claims that address your concerns regarding the previously proposed claim.

The first draft claim addresses your concerns regarding the term "a wager" and your concerns that each of the multiple wagering pools could be for different wager types (e.g., win, place, or show). We have amended the previously proposed claim to state that a user can create a "particular wager," which should be sufficient to obviate any possible ambiguity regarding this term. We further amended the previously proposed claim to state that each of the multiple wagering pools is capable of accepting "the particular wager" and that the wagering application places "the particular wager" in one of the multiple wagering pools. Therefore, each of the multiple wagering pools cannot be for different wager types. The first draft claim follows:

Draft #1. A method for allowing a user to use user equipment to place electronic wagers on races with an interactive wagering application, comprising:
 using the interactive wagering application to
provide the user with an opportunity to create a particular wager;
 providing access to multiple wagering pools that are
independent of each other, wherein each of the multiple wagering pools is
capable of accepting the particular wager; and
 using the interactive wagering application to place
the particular wager with one of the multiple wagering pools.

We have provided a second draft claim that even further defines the term "a wager". We have amended the previously proposed claim to state that a user can create "a particular wager of a particular type for a particular race." Similar to draft 1, we further amended the previously proposed claim to state that each of the multiple wagering pools is capable of accepting "the particular wager" and that the wagering application places "the particular wager" in one of the multiple wagering pools. Therefore, similar to draft 1, each of the multiple wagering pools cannot be for different wager types. The second draft claim follows:

Draft #2. A method for allowing a user to use user equipment to place electronic wagers on races with an interactive wagering application, comprising:
 using the interactive wagering application to
provide the user with an opportunity to create a particular wager of a
particular type for a particular race;
 providing access to multiple wagering pools that are
independent of each other, wherein each of the multiple wagering pools is
capable of accepting the particular wager; and
 using the interactive wagering application to place
the particular wager with one of the multiple wagering pools.

We look forward to your comments. Specifically, whether the draft claims address your concerns.

Andrew Van Court

Patent Agent

Fish & Neave

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Coburn, Corbett

From: AVanCourt@fishneave.com
Sent: Thursday, February 13, 2003 10:08 AM
To: Corbett.Coburn@uspto.gov
Subject: 09/687,616



ODS-26 New
Claim.doc

Examiner Coburn,

Attached is a MSWord version of our proposed amended claim for this case.
If you can't open the file, please let me know and I'll provide it to you in
another format.

You can call me at 212.596.9103.

Thanks,

Andrew Van Court
Patent Agent
Fish & Neave

1. A method for allowing a user to use user equipment to place an electronic wager on a race with an interactive wagering application, comprising:

using the interactive wagering application to provide the user with an opportunity to create a wager;

providing access to multiple wagering pools that are independent of each other, wherein each of the multiple wagering pools is capable of accepting the wager; and

using the interactive wagering application to place the wager with one of the multiple wagering pools.

Coburn, Corbett

From: Coburn, Corbett
Sent: Wednesday, February 19, 2003 10:58 AM
To: 'AVanCourt@fishneave.com'
Subject: RE: 09/687,616

I have considered your proposed amendments. I think that #1 might be changed as follows:

Draft #1. A method for allowing a user to use user equipment to place electronic wagers on races with an interactive wagering application, comprising:
 using the interactive wagering application to provide the user with an opportunity to create a wager on a particular proposition;
 providing access to multiple wagering pools for the particular proposition that are independent of each other, wherein each of the multiple wagering pools for the particular proposition is capable of accepting the wager on the particular proposition; and
 using the interactive wagering application to place the wager on the particular proposition with one of the multiple wagering pools for the particular proposition.

I believe this would overcome the 112 rejections. I cannot say that it will overcome the art rejections and certainly it would require a new search. If you decide to make this change, you should point out in your explanation of the amendment that "proposition" is an art-accepted term that includes not only a bet on the outcome of a particular race, but also more exotic bets such as trifectas. While the term may not appear in the specification, I believe the term is common in the art.

I do not think it will be necessary to use Draft #2 merely to overcome the 112 rejection. Whether using it will help with possible art rejections, I don't know.

It would also help if you would fax me a written authorization to correspond via email. My SPE says I need that for the file. My fax number is 703-746-7483. If I can be of any other assistance, please feel free to contact me.

Sincerely,

Corbett Coburn

-----Original Message-----

From: AVanCourt@fishneave.com [mailto:AVanCourt@fishneave.com]
Sent: Thursday, February 13, 2003 2:37 PM
To: Corbett.Coburn@uspto.gov
Cc: AVanCourt@fishneave.com
Subject: 09/687,616

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Draft #2. A method for allowing a user to use user equipment to place electronic wagers on races with an interactive wagering application, comprising:

using the interactive wagering application to provide the user with an opportunity to create a particular wager of a particular type for a particular race; providing access to multiple wagering pools that are independent of each other, wherein each of the multiple wagering pools is capable of accepting the particular wager; and using the interactive wagering application to place the particular wager with one of the multiple wagering pools.

We look forward to your comments. Specifically, whether the draft claims address your concerns.

Andrew Van Court
Patent Agent

Fish & Neave